

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA

Nathanael L. Reynolds,)	Civil Action No.: 1:14-4430-MGL
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
)	
Director Pressley, Cpt. Brown, and Cpt.)	
Scott,)	
)	
Defendants.)	
)	

On November 17, 2014, Plaintiff Nathanael L. Reynolds, (“Plaintiff”), proceeding *pro se* and *in forma pauperis*, filed this civil action alleging violations of his constitutional rights. (ECF No. 1). In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(f) D.S.C., the matter was referred to United States Magistrate Judge Shiva V. Hodges for review pursuant to the procedural provisions of 28 U.S.C. § 1915 and § 1915A. On November 19, 2014, the Magistrate Judge prepared a thorough Report and Recommendation, (“the Report”), recommending that the action be summarily dismissed without prejudice and without issuance and service of process. (ECF No. 9). Plaintiff filed a timely Objection to the Report on December 8, 2014, (ECF No. 15), and several subsequent, untimely rounds of objections. See ECF Nos. 18, 20, 21, 23 and 24. The matter is now ripe for review by this Court.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the

recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). In the absence of a timely filed Objection, a district court need not conduct a *de novo* review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

In light of the standards set forth above, the Court has reviewed, *de novo*, the Report and Plaintiff’s Objections. The Court has undertaken this *de novo* review, even though Plaintiff’s Objections fail to advance any cogent, specific objections to the Report and instead simply re-allege his version of the facts of the case. At no point in his Objections does Plaintiff meaningfully address the Magistrate Judge’s central determination that Plaintiff’s allegations fail to set out plausible claims for relief pursuant to § 1983 and thereby establish federal question jurisdiction.

For these reasons, the Court concurs with the reasoning of the Magistrate Judge and adopts the Report and incorporates it herein by reference, (ECF No. 9), overruling Plaintiff’s Objections. (ECF Nos. 15, 18, 20, 21, 23, and 24). Accordingly, this action is **DISMISSED** *without prejudice* and without issuance and service of process.

IT IS SO ORDERED.

s/Mary G. Lewis
United States District Judge

Columbia, South Carolina
May 26, 2015